

# United States Bankruptcy Court

SOUTHERN

District of NEW YORK

In re

Bankruptcy Case No.

**Debtor.**

Social Security No.:

Employer Tax I.D. No.:

## SUMMONS TO DEBTOR IN INVOLUNTARY CASE

**To the above named Debtor:**

A petition under title 11, United States Code was filed against you on \_\_\_\_\_ in this Bankruptcy Court, requesting an order for relief under Chapter \_\_\_\_\_ of the Bankruptcy Code (title 11 of the United States Code.)

YOU ARE SUMMONED and required to submit to the Clerk of the Bankruptcy Court, a motion or answer (attorneys should file online) to the petition within 21 days after the service of this summons. A copy of the petition is attached.

Address of the Clerk: United States Bankruptcy Court  
One Bowling Green  
New York, New York 10004  
[www.nysb.uscourts.gov](http://www.nysb.uscourts.gov)

At the same time, you must also serve a copy of the motion or answer upon the petitioner's attorney.

Name and Address of Petitioner's Attorney

If you make a motion, your time to answer is governed by Federal Rule of Bankruptcy Procedure 1011 (c) . If you fail to respond to this Summons, an order for relief will be entered. Information on electronic case filing procedures is attached.

*Clerk of the Bankruptcy Court*

By: \_\_\_\_\_

*Date*

*Deputy Clerk*

\*Set forth all names, including trade names, used by the debtor within the last 8 years. (Federal Rule of Bankruptcy Procedure 1005). For joint debtors, set forth both social security numbers.

## CERTIFICATE OF SERVICE

I, \_\_\_\_\_, certify that I am, and at all times during the service  
(name) of process was, not less than 18 years of age and not a party to the matter concerning which service of process was made. I further certify that the service of this summons and a copy of the involuntary petition was made  
\_\_\_\_\_ by:  
(date)

Mail service: Regular, first class United States mail, postage fully pre-paid, addressed to:

Personal Service: By leaving the process with defendant or with an officer or agent of defendant at:

Residence Service: By leaving the process with the following adult at:

Publication: The defendant was served as follows: [Describe briefly]

State Law: The defendant was served pursuant to the laws of the State of \_\_\_\_\_, as follows: [Describe briefly] \_\_\_\_\_ (name of state)

Under penalty of perjury, I declare that the foregoing is true and correct.

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Date

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Signature

Print Name		
Business Address		
City	State	Zip

## NOTICE OF ELECTRONIC FILING PROCEDURE FOR ATTORNEYS

Case Name:

Case Number:

Date Filed:

This involuntary proceeding is docketed on the Court's Electronic Case Filing System and can be accessed via the Internet at [www.nysb.uscourts.gov](http://www.nysb.uscourts.gov) utilizing an attorney password. In compliance with Federal Rule of Civil Procedure Rule 11 and in accordance with Local Bankruptcy Rule 9011-1, the attorney's password shall constitute the signature of the attorney. An original signed copy of the filing shall be maintained in the attorney's files. A chamber's copy of all filed documents is required and all parties with legal representation must file documents in accordance with the following:

1. The requirements for filing, viewing and retrieving case documents are: A personal computer running a standard platform such as Windows, Windows 95 or Macintosh; an Internet provider, Netscape Navigator software version 3.0 or higher and Adobe Exchange software to convert documents from a word processor format to a portable document format (PDF). The URL address is [www.nysb.uscourts.gov](http://www.nysb.uscourts.gov) and a password is needed to file documents on the system. If you are unable to comply with this requirement, then
2. You must submit documents on a diskette using PDF format. Adobe software provides this format. Further instruction may be found in Adobe's manual. Use a separate diskette for each filing. Submit the diskette in an envelope with the case name, case number, type and title of document, and the file name on the outside of the envelope. If you are unable to comply with this requirement, or requirement number 1, then
3. You must submit your documents on a diskette using one of the following formats: Word, WordPerfect, or DOS text (ASCII). If you are unable to comply with this requirement, or requirements 1 or 2, then
4. You must submit an affidavit of your inability to file in either of the above formats. You may then file conventionally on unstapled, unbound, single-sided paper. **Include your affidavit with each filing.**

Guidelines for filing an adversary proceeding online and Step by Step Guides may be found on the court's home page at [www.nysb.uscourts.gov](http://www.nysb.uscourts.gov) and can be accessed without a password.

For assistance, call (212) 668-2870 ext. 3522 or ext. 3920. To schedule training, call ext. 3580, Monday - Friday, 8:30 a.m. - 5:00 p.m. New York time.